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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/867,735      | 05/30/2001  | Robert Weixiu Du     | SONY / 92           | 6805             |

26875 7590 08/10/2004  
WOOD, HERRON & EVANS, LLP  
2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OH 45202

|          |
|----------|
| EXAMINER |
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AZAD, ABUL K

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2654

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                  |  |
|------------------------------|--------------------------------------|----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/867,735 | <b>Applicant(s)</b><br>DU ET AL. |  |
|                              | <b>Examiner</b><br>ABUL K. AZAD      | <b>Art Unit</b><br>2654          |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-19 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 10 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-24 are pending in this Office Action.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-9, 11-19 and 21-24 are rejected under 35 U.S.C. 102(a) as being anticipated by Okuda (US 6,092,046).

As per claim 1, Okuda teaches, “a method of managing memory resources within an audio playback system, wherein the resources comprise memory blocks”, the method comprising:

“identifying a first and a second audio process, wherein the first and the second audio processes execute at different times” (col. 6, lines 13-27);

“allocating a first memory block to the first and the second processes” (col. 6, lines 1-10);

“associating a first audio frame with the first process” (col. 6, lines 1-27);

“buffering the first audio frame to the first memory block” (col. 6, lines 1-27).

As per claim 2, Okuda teaches, “further comprising buffering a second audio frame to the first memory block, wherein the second audio frame is associated with the second process” (col. 5, line 50 to col. 6, line 27).

As per claim 3, Okuda teaches, "further comprising resetting a memory area of the first memory block to zero prior to receiving the second audio frame" (col. 8, lines 34-37).

As per claim 4, Okuda teaches, "further comprising identifying the first audio frame" (col. 5, line 50 to col. 6, line 27).

As per claim 5, Okuda teaches, "further comprising processing the first audio frame" (col. 5, line 50 to col. 6, line 27).

As per claim 6, Okuda teaches, "further comprising implementing program code to ensure that the first and the second audio processes run at different times" (col. 7, lines 34-67).

As per claim 7, Okuda teaches, "further comprising outputting the first audio frame" (col. 8, lines 42-53).

As per claim 8, Okuda teaches, "further comprising formatting the first audio frame" (col. 8, lines 21-53).

As per claim 9, Okuda teaches, "further comprising switching between the first and the second processes at a boundary of the first frame" (col. 8, lines 21-53).

As per claims 11-20 and 22-24, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-9.

***Allowable Subject Matter***

4. Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2654

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

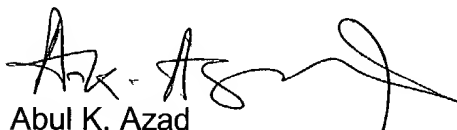
Or faxed to:

**(703) 872-9314**

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office at telephone number **(703) 306-0377**.

  
Abul K. Azad

August 9, 2004